

Introduction

The Government of Canada, through the Department of Indian Affairs and Northern Development, has entered into an agreement for the relocation of the Kwanlin Dun First Nation from its traditional lands to a new site near Hazelton, British Columbia.

Clearly, all parties to this agreement recognize the importance of the Kwanlin Dun First Nation to the community.

Since the 1950's the Kwanlin Dun First Nation has been in a process of relocation from its traditional lands to a new site near Hazelton, British Columbia.

**KWANLIN DUN RELOCATION**

The relocation process spanning 15 years and involving the Kwanlin Dun First Nation, the Government of Canada, and the Hazelton community.

The following information is provided for the purpose of providing background information on the relocation process.

Background to the Relocation of the Kwanlin Dun First Nation

The Kwanlin Dun First Nation has a long history of settlement in the Hazelton area. In 1950, the Kwanlin Dun First Nation was relocated from its traditional lands to a new site near Hazelton, British Columbia.

In 1950, the Kwanlin Dun First Nation was relocated from its traditional lands to a new site near Hazelton, British Columbia. The relocation was a result of a long process of negotiation and agreement between the Kwanlin Dun First Nation, the Government of Canada, and the Hazelton community.

POLAR  
PAM  
766

POLARPAM

BOREAL INSTITUTE  
LIBRARY

062600





## Introduction

The Government of Canada, together with the Government of Yukon, City of Whitehorse and the Kwanlin Dun band, have a proposed memorandum of agreement for relocating the Whitehorse Indian village to the Hillcrest-McIntyre subdivision.

Clearly, all parties to this agreement recognize the need for providing the Kwanlin Dun with a better environment in which to build a viable community.

Since the 1950's the Kwanlin Dun band has existed on the swampy tract of federal land set aside known as "lot 226" located in the Marwell industrial area.

When the relocation agreement is signed, it will mark the end of a negotiating process spanning 15 years and involving four levels of government.

The following information will outline the terms and conditions contained within the memorandum of agreement and provide an overview of the Kwanlin Dun's plans for the new subdivision.

## Background to the Memorandum of Agreement

Although discussions and negotiations aimed at finding a new site for the Kwanlin Dun band commenced in 1969, little in the way of real progress was made through the 1970's. Initial studies concentrated on a site east of the Yukon River located off the Wickstrom Road.

By 1983 the band's interest had shifted to the Hillcrest-McIntyre subdivision which had been lying dormant since its construction in 1978. The new site was attractive because it already contained substantial municipal services including roads, water, sewer and telephone lines.



In the spring of 1983 the Kwanlin Dun band made a formal approach to the Yukon Government concerning the possibility of negotiating a land deal for the Hillcrest-McIntyre site. Indian and Northern Affairs Canada and Whitehorse city council were brought into the discussions and it appeared there was common ground for negotiation.

Talks surrounding the new site began in earnest during the summer of 1983. Steady progress was made by the four parties and the way was paved for the signing of an interim agreement in the summer of 1984. More negotiations and further refinements led to a proposed memorandum of agreement by June, 1985.

#### The Memorandum of Agreement

The proposed memorandum of agreement establishes a three-year transfer period for 465 serviced and 111 unserviced lots for the use and benefit of the Kwanlin Dun.

The standard lot size is 20 x 40 meters deep (approximately 8,000 square feet). A number of larger lots suitable for developing community buildings are also contained in the lands to be transferred.

The Hillcrest-McIntyre subdivision is serviced by a 7.2 kilometer road network.

Set out under the agreement are terms and conditions relating to land ownership, intergovernmental relationships, municipal services and community planning.

#### Year One

Under the first phase of the agreement which is scheduled to take effect August 31, 1985, 215 residential lots together with the roads and greenbelts connecting them will be transferred by the Yukon Government to the federal government as lands set aside for the use and benefit of the Kwanlin Dun Band.





Title to these lands must be held by the federal crown in order for the Kwanlin Dun to continue receiving housing and other program funds available to the Band from Indian and Northern Affairs Canada.

Of the 215 lots, 104 are serviced with water, sewer and telephone, while 111 contain no municipal services. Included in the 104-lot transfer are the seven properties the Band built houses on last year under the interim agreement signed in the summer of 1984.

The Yukon Government will be paid \$1,296,235 by the Federal Government for the land and municipal services to be transferred in the first year.

#### Year Two

By July 31, 1986 the Yukon Government will transfer to the federal crown an additional 67 fully serviced lots, plus an area reserved for the band's new administration complex, together with the roads and greenbelts connecting them. The Yukon government will receive \$686,518 from the Government of Canada for the transaction.

#### Year Three

Under year three of the proposed plan, the 294 lots remaining in the subdivision will be transferred by the Yukon government to the Kwanlin Dun or a band-owned corporation by July 31, 1987. Although these lots are also serviced the services will not be activated, and ownership of the roads and greenbelts will not be transferred.

A conventional mode of land ownership will prevail on these lots, with the band holding surface title to the lots only. The lots will be maintained by the band for future residential and commercial development, consistent with plans jointly drawn up by the band and city.

Any costs of upgrading services on those lands will be borne by the band and recovered through future resale or leasing arrangements. The federal government will pay \$3,012,483 for the Yukon Government's transfer of these remaining 294 lots.





## General Provisions

An estimated \$2.5 million will be paid to the Yukon Government by the Federal Government through a schedule of progress payments to cover off costs associated with bringing municipal services on stream, to the 171 lots held by the Federal Government as lands set aside.

Charges include testing and repairs to existing sewer and water systems, reactivating the pumping station and looping the sewer and water mains. Repairs to the subdivision's streets and paving Hamilton Boulevard will also be covered.

Once full testing and repairs have been made, ownership of all the below-ground services will be transferred to the city.

Title to the roads in the Kwanlin Dun residential area will be held by the band. Roads located within the 294-lot development tract known as year three land will be owned by the city.

The proposed memorandum has a provision stipulating that 50 per cent of the lots transferred in years one and two must be built on and occupied before third-year development can go ahead.

Land within the subdivision has been reserved for a school. This property will remain under the Yukon government's ownership for 10 years, at which time the land will be turned over to the Kwanlin Dun for a nominal sum of money, if a school hasn't been constructed.

## Municipal Services

Under contract with the federal government, the city will provide the relocated Kwanlin Dun residents with water, sewer and fire protection services only, other services such as a road maintenance and garbage collection will be provided by the Band.

Municipal services provided to residents who buy lots from the Kwanlin Dun on the development lands will be the same as those provided elsewhere in the city, and the City will charge for them in the same manner as for other Whitehorse residents.



### Application of Laws

On the residential lots held by the federal government as Lands set aside for the Kwanlin Dun, the Territorial and City laws of general application cannot apply. However, the band will respect the National Building Code and City zoning bylaws which govern the subdivision, and has made a commitment to govern the relocated residents by the same standards as apply in other areas of the City.

Where appropriate, the Kwanlin Dun will pay amounts equivalent to building permits and inspection fees that would normally be required from other developers in the City.

On the development lots which are known as year three lands all all laws of general application will be in force, including Yukon legislation, regulations and municipal bylaws.

### Policing and Bylaw Enforcement

Under the proposed agreement the RCMP will be responsible for law enforcement in residential areas occupied by Kwanlin Dun band members. The Kwanlin Dun will have the option of continuing the RCMP special constable program for up to five years after the agreement has been signed.

The City will be responsible for bylaw enforcement on the development lands, and a consultative process is provided whereby the Band will be informed of the City's bylaw enforcement policy, as it applies to those lands.





Kwanlin Dun's Development Schedule

Over a five-year period the Kwanlin Dun plans to construct 118 new homes, commencing with 32 housing starts in the 1985 building season. Twenty-two houses will be built in 1986, 21 units the following year, 21 in 1988 and 22 in 1989, the project's final year.

The housing will consist mainly of three-bedroom bungalows, in a variety of styles. In 1986-87 plans call for the construction of a community complex housing band office, store, police station and community hall.

It is anticipated that about 400 Kwanlin Dun band members will be relocated to the new subdivision by the time the housing development is completed.





HISTORY OF EVENTS

KWANLIN DUN RELOCATION PROJECT

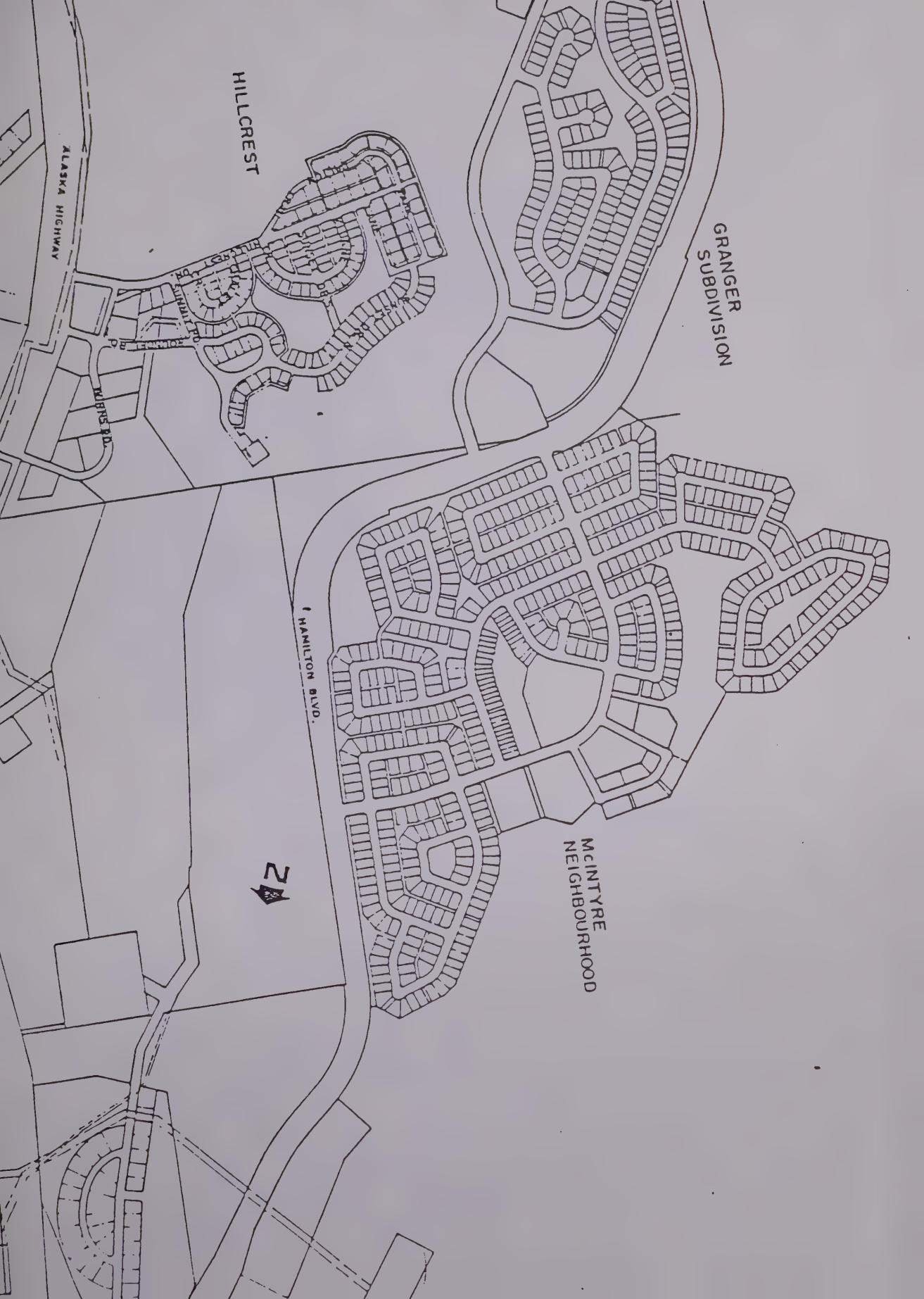
- 1896 - First Indians came from the village of Hutchi to the Whitehorse area.
- 1900 - White Pass and Yukon Railroad completed.
- 1911 - 1912 New railhead established on west bank of the Yukon River. Indian village moved to west bank to area known as Whiskey and Moccasin Flats. They did this because when travelling back and forth across the river during freeze up and break up, they encountered difficulty created by dangerous ice conditions.
- 1921 - Present village site (Lot 226) "set aside" for the use and benefit of Yukon Indians.
- 1950 - Under pressure from White Pass the Indians were physically removed by the RCMP from Moccasin Flats to the new village site on Lot 226.
- 1967 - 1968 Indian people still camped on Moccasin Flats but the majority were located on Lot 226.
- 1969 - Whitehorse band chief & council resolved to appoint a committee for the relocation of the village to a better site.
- 1970  
October Eight member steering committee established for the relocation project consisting of representatives from the band, Yukon Native Brotherhood, Yukon Territorial Council, Minister of Indian Affairs and Yukon's Commissioner.
- 1971 - Eight possible relocation sites investigated by the steering committee.
- 1972 - EPEC Consulting Western Ltd. retained to conduct a feasibility and economic study of relocation.
- 1973  
August EPEC report submitted to the chief & council and the steering committee recommended the Wickstrom Road site.
- 1973 - 1977 Very little progress made on relocation because of the high cost of a second bridge the band wanted constructed across the Yukon River, joining the city and new village.
- 1978 - A community design study initiated by the Whitehorse band and relocation steering committee.
- 1979 -  
August Design study completed and presented to the Chief and Council and Steering Committee.
- 1981 - Relocation coordinator hired.



- 1981 - Social action program developed to prepare occupants of present village for social impact associated with the relocation.
- 1981 - Vote held and 96% voted for relocation to the selected new site on Wickstrom Road.
- February
- 1981 - Approval-in-principle was given by Treasury Board for the relocation project.
- May
- 1981 - Band council made a decision to approach the City of Whitehorse and Yukon government to move the relocation site from Wickstrom Road to Hillcrest-McIntyre subdivision.
- Spring
- 1983 - Individuals and family groups belonging to the Kwanlin Dun band were consulted and approval was given to the chief and council by band members to proceed with relocation to the McIntyre subdivision.
- 1983 - Negotiations for the McIntyre subdivision commenced between federal/territorial/city and band representatives.
- Summer
- 1983 - 1985 Negotiations continued and a tentative memorandum of agreement is reached between the four parties.
- June







HILLCREST

GRANGER  
SUBDIVISION

MCINTYRE  
NEIGHBOURHOOD

HAMILTON BLVD.

ALASKA HIGHWAY

MORRIS RD.







ZONE ABBREVIATIONS

RS - Single Family Residential

PD - Public Use

PR - Parks and Recreation

OS - Open Space






CD - District Commercial

RM - Multiple Family Residential







-  Land not inside (surveyed only)
-  Land not inside
-  Free sample land
-  Road
-  Utility

HITCH ST - MCINTOSH  
 SUNNYSIDE  
 APPENDIX 'A'  
 11 of 11

HITCH  
 SUNNYSIDE





# Date Due

|  |  |  |  |
|--|--|--|--|
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

62600 Pam:333.32: (\*430)  
KDR

Kwanlin Dun relocation.

| Borrower's Name | Date Due |
|-----------------|----------|
|                 |          |
|                 |          |
|                 |          |
|                 |          |

62600 Pam:333.32: (\*430)  
KDR

Kwanlin Dun relocation.

BOREAL INSTITUTE FOR NORTHERN STUDIES, LIBRARY  
 OW 401 BIOLOGICAL SCIENCES BLDG.  
 THE UNIVERSITY OF ALBERTA  
 ED. MONTON, ALBERTA T6G 2E9  
 CANADA

University of Alberta Library



0 1620 0328 4864